
From: LOWRY, KIM M
Sent: Tuesday, July 30, 2019 9:08 AM
To: (b)(6);(b)(7)(C)
Subject: FW: UPDATE: Border Wall Weekly (22-26 July)
Attachments: 19A60.pdf; ATT00001.htm

From: LOWRY, KIM M
Sent: Saturday, July 27, 2019 3:33 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: UPDATE: Border Wall Weekly (22-26 July)

Sent from my iPhone

Begin forwarded message:

From: "HIGHSMITH, ANNMARIE (OCC)" (b)(6);(b)(7)(C) >
Date: July 26, 2019 at 11:39:58 PM EDT
To: (b)(6);(b)(7)(C) "MARTIN, JERRY B"
(b)(6);(b)(7)(C), "Alles, Randolph" (b)(6)
"MORGAN, MARK A" (b)(6);(b)(7)(C), "PEREZ, ROBERT E"
(b)(6);(b)(7)(C) >
Cc: "PROVOST, CARLA (USBP)" (b)(6);(b)(7)(C), "LUCK, SCOTT A
(USBP)" (b)(6);(b)(7)(C), "HASTINGS, BRIAN S"
(b)(6);(b)(7)(C) (b)(6)
"Blume, Allen" (b)(6), (b)(6)
(b)(6) > (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C), "FRIEL, MICHAEL J"
(b)(6);(b)(7)(C), "MEEHAN, ANDREW C"
(b)(6);(b)(7)(C)
>, "LOWRY, KIM M" (b)(6);(b)(7)(C)
"HUFFMAN, BENJAMINE C" (b)(6);(b)(7)(C) (b)(6)
(b)(6);(b)(7)(C) "FRIEL, MICHAEL J"
(b)(6);(b)(7)(C)

Subject: RE: UPDATE: Border Wall Weekly (22-26 July)

Good evening, all:

Good news for a Friday night! (b)(5)

(b) (5)

As always, please let us know if you would like to discuss or have any questions.

--AM

From (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 7:25 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C); Alles, Randolph
(b) (6); MORGAN, MARK A (b)(6);(b)(7)(C)
PEREZ, ROBERT (b)(6);(b)(7)(C)
Cc: PROVOST, CARLA (USBP (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP
(b)(6);(b)(7)(C); HASTINGS, BRIAN S
(b)(6);(b)(7)(C) > (b) (6)
Blume, Alle (b) (6) (b) (6)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C); FRIEL, MICHAEL J
(b)(6);(b)(7)(C) >; MEEHAN, ANDREW C
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
LOWRY, KIM M (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
HIGHSMITH, ANNMARIE (OCC)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
HUFFMAN, BENJAMINE C (b)(6);(b)(7)(C) (b) (6)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C); FRIEL, MICHAEL J
(b)(6);(b)(7)(C)
Subject: UPDATE: Border Wall Weekly (22-26 July)

Good evening – We’ve had a late breaking development on the DoD Counterdrug/284 program. According to media reports, SCOTUS has stayed the injunction. We will stay connected with Counsel’s office on the specifics of the ruling and the impacts it may have to turning construction efforts back on. Assuming no further obstacles, DoD expect (b) (5)

(b) (5)
. We will continue to update as this develops.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C) v>
Sent: Friday, July 26, 2019 2:06 PM
To: Alles, Randolph (b)(6);(b)(7)(C) >; MORGAN, MARK A (b)(6);(b)(7)(C) >
Cc: PROVOST, CARLA (USBP (b)(6);(b)(7)(C) >; LUCK, SCOTT A (USBP (b)(6);(b)(7)(C) >; HASTINGS, BRIAN S (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C) >; Blume, Alle (b)(6);(b)(7)(C) >; FRIEL, MICHAEL J (b)(6);(b)(7)(C) >; MEEHAN, ANDREW C (b)(6);(b)(7)(C) >; LOWRY, KIM M (b)(6);(b)(7)(C) >; HIGHSMITH, ANNMARIE (OCC) (b)(6);(b)(7)(C) >; HUFFMAN, BENJAMINE C (b)(6);(b)(7)(C) >; FRIEL, MICHAEL J (b)(6);(b)(7)(C) >
Subject: Border Wall Weekly (22-26 July)

DUSM Alles, Commissioner, Deputy Commissioner,

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
 - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
 - Package 1 (b)(7)(E) gates i (b)(7)(E) County Construction is on-going a (b)(7)(E) gates. Construction completion is estimated for lat (b)(5). (Photos attached)
 - Packages 2 & 3 (b)(7)(E) gates i (b)(7)(E) County an (b)(7)(E) gates i (b)(7)(E) Award remains anticipated fo (b)(5)

- ROE-S signed to date: 30 of 43 (70%)
- Surveys complete: 32 of 43 (74%)
- Appraisals complete: 0 of 43 (0%)
- Offers-to-Sell Delivered: 0 of 43 (0%)
- Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- (b) (7)(E) Primary Replacemen (b) (7)(E)
 - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated for (b) (5). (Photos attached)
 - (b) (7)(E) are under contract. The remaining (b) (7)(E) have yet to be awarded (b) (5)
- San Diego Secondary Replacement (~14 miles):
 - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Diego (b) (7)(E) Primary Replacemen (b) (7)(E)
 - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)
- El Centro (b) (7)(E) Primary Replacemen (b) (7)(E)
 - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJ's involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installation (b) (7)(E) is anticipated to start in (b) (5).
- Rio Grande Valley Levee Wall (RG (b) (7)(E) / RGV (b) (7)(E)
 - RG (b) (7)(E) USAC (b) (5)
 - USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
 - ROE-S signed to date: 34 of 34 (100%)
 - Surveys complete: 34 of 34 (100%)
 - Appraisals complete: 31 of 31 (100%) (only required for private tracts)
 - Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
 - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the

property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.

- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)
- RG (b) (7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
 - ROE-S signed to date: 19 of 19 (100%)
 - Surveys complete: 19 of 19 (100%)
 - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
 - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
 - Accepted Offers-to-Sell: 0 of 16 (0%)
- Rio Grande Valley Border Wall System (RGV (b) (7)(E) i (b) (7)(E) County):
 - This project comprises the areas that require additional consultation with (b) (7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in late (b) (5) which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
 - ROE-S signed to date: 136 of 155 (88%)
 - Surveys complete: 20 of 155 (13%)
 - Appraisals complete: 0 of 152 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
 - Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b) (7)(E))
 - The contract award remains anticipated (b) (5). Construction start is anticipated for (b) (5), assuming availability of real estate.
 - ROE-S signed to date: 81 of 95 (85%)
 - Surveys complete: 88 of 95 (92%)
 - Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)

- Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
 - Accepted Offers-to-Sell: 0 of 85 (0%)
- Rio Grande Valley Border Wall System (RGV (b) (7)(E))
 - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for (b) (5) .
 - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
 - This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.
- Rio Grande Valley Border Wall System (Remainin (b) (7)(E))
 - The RFP packages for the FY19 projects RG (b) (7)(E) and RG (b) (7)(E) are anticipated to advertise (b) (5) and RG (b) (7)(E) is on track for (b) (5) . USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
 - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
 - ROE-S signed to date: 23 of 23 (100%)
 - Surveys complete: 0 of 23 (0%)
 - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
 - ROE-S DTs filed: 4 (pending)
 - Surveys complete: 0 of 177 (0%)
 - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
 - Surveys complete: 0 of 89 (0%)
 - Appraisals complete: 0 of 74 (0%) (only required for private tracts)

- Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)
- RG (b) (7)(E) Border Wall System (b) (7)(E)
 - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
 - ROE-S DTs filed: 3 (pending)
 - Surveys complete: 16 of 145 (11%)
 - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)
- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
 - Construction is estimated to start in earl (b) (5) and complete by the end of (b) (5)

Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E)
 - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5)
 - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of \$601M.

Acquisition

- The Eastern MATOC (\$5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel (b) (7)(E)**
 - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any

action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.

- The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.
- The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.
- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" <https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms>
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" <https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410>
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" <https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/>
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum <https://thewallsymposium.com/>

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VR

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC

O (b)(6);(b)(7)(C)
M

Opinion of BREYER, J.

SUPREME COURT OF THE UNITED STATES

No. 19A60

DONALD J. TRUMP, PRESIDENT OF THE UNITED
STATES, ET AL. *v.* SIERRA CLUB, ET AL.

ON APPLICATION FOR STAY

[July 26, 2019]

The application for stay presented to JUSTICE KAGAN and by her referred to the Court is granted. Among the reasons is that the Government has made a sufficient showing at this stage that the plaintiffs have no cause of action to obtain review of the Acting Secretary’s compliance with Section 8005. The District Court’s June 28, 2019 order granting a permanent injunction is stayed pending disposition of the Government’s appeal in the United States Court of Appeals for the Ninth Circuit and disposition of the Government’s petition for a writ of certiorari, if such writ is timely sought. Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate when the Court enters its judgment.

JUSTICE GINSBURG, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application.

JUSTICE BREYER, concurring in part and dissenting in part from grant of stay.

To warrant this stay, the Government must show not just (1) a reasonable probability that the Court will grant certiorari and (2) a fair prospect that the Court will reverse, but also (3) “a likelihood that irreparable harm will result from the denial of a stay.” *Maryland v. King*, 567 U. S. 1301, 1302 (2012) (ROBERTS, C. J., in chambers). This case raises novel and important questions about the ability of private

Opinion of BREYER, J.

parties to enforce Congress' appropriations power. I would express no other view now on the merits of those questions.

Before granting a stay, however, we must still assess the competing claims of harm and balance the equities. *Barnes v. E-Systems, Inc. Group Hospital Medical & Surgical Ins. Plan*, 501 U. S. 1301, 1305 (1991) (Scalia, J., in chambers). This Court may, and sometimes does, "tailor a stay so that it operates with respect to only 'some portion of the proceeding.'" *Trump v. International Refugee Assistance Project*, 582 U. S. , (2017) (*per curiam*) (slip op., at 10) (quoting *Nken v. Holder*, 556 U. S. 418, 428 (2009)). In my view, this is an appropriate case to do so.

If we grant the stay, the Government may begin construction of a border barrier that would cause irreparable harm to the environment and to respondents, according to both respondents and the District Court. The Government's only response to this claim of irreparable harm is that, if respondents ultimately prevail, the border barrier may be taken down (with what funding, the Government does not say). But this is little comfort because it is not just the barrier, but the construction itself (and presumably its later destruction) that contributes to respondents' injury.

If we instead deny the stay, however, it is the Government that may be irreparably harmed. The Government has represented that, if it is unable to finalize the contracts by September 30, then the funds at issue will be returned to the Treasury and the injunction will have operated, in effect, as a final judgment. Respondents suggest a court could still award the Government relief after an appropriation lapses, though that proposition has yet to be endorsed by this Court.

But there is a straightforward way to avoid harm to both the Government and respondents while allowing the litigation to proceed. Allowing the Government to finalize the contracts at issue, but not to begin construction, would alleviate the most pressing harm claimed by the Government

Opinion of BREYER, J.

without risking irreparable harm to respondents. Respondents do not suggest that they will be harmed by finalization of the contracts alone, and there is reason to believe they would not be. See, e.g., 36 Opinion of Office of Legal Counsel 11 (2012) (noting that, because of the Anti-Deficiency Act, “the government [is] legally incapable of incurring a contractual obligation to pay more money than Congress had appropriated”), online at <https://www.justice.gov/file/20596/download> (as last visited July 26, 2019); see also *Leiter v. United States*, 271 U. S. 204, 206–207 (1926); *Sutton v. United States*, 256 U. S. 575, 580–581 (1921); *Hooe v. United States*, 218 U. S. 322, 332–334 (1910); *Bradley v. United States*, 98 U. S. 104, 116–117 (1878).

I can therefore find no justification for granting the stay in full, as the majority does. I would grant the Government’s application to stay the injunction only to the extent that the injunction prevents the Government from finalizing the contracts or taking other preparatory administrative action, but leave it in place insofar as it precludes the Government from disbursing those funds or beginning construction. I accordingly would grant the stay in part and deny it in part.

Subject: WBTW Meeting
Location: Commissioner's Small Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER
(b) (7)(E)

Required Attendees: MARTIN, JERRY B; SINGLETON, RUYNARD R (b)(6);(b)(7)(C)
kkobach@gmail.com (b)(6);(b)(7)(C)
(b) (6)

Please do NOT forward this invitation, should you require assistance with this invitation please
conta (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Attendees:

Deputy Commissioner Robert E. Perez

Chief Jerry "Brian" Martin

Ruynard Singleton

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Kris Kobach

(b) (6)

(b) (6)

Subject: WBTW Meeting
Location: Commissioner's Large Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER
(b) (7)(E)
[REDACTED]
[REDACTED]

Required Attendees: CBP DEPUTY COMMISSIONER SCHEDULER; MARTIN, JERRY B; SINGLETON, RUYNARD R;
(b)(6);(b)(7)(C)
kkobach@gmail.com (b)(6);(b)(7)(C)

Optional Attendees: DCC10A-RMB-COMMISSIONER-CN-RM

Please do NOT forward this invitation, should you require assistance with this invitation please
contac (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

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(b) (6)

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Please do NOT forward this invitation, should you require assistance with this invitation please contact (b)(6);(b)(7)(C) a (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

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Deputy Commissioner Robert E. Perez

Chief Jerry "Brian" Martin

Ruynard Singleton

(b)(6);(b)(7)(C)

Kris Kobach

Subject: WBTW Meeting
Location: Ronald Reagan Building, 1300 Pennsylvania Ave NW Washington DC 20004
Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER

(b) (7)(E)

Please do NOT forward this invitation, should you require assistance with this invitation please
contac (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

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Deputy Commissioner Robert E. Perez
Chief Jerry "Brian" Martin
Ruynard Singleton

(b)(6);(b)(7)(C)

Kris Kobach

(b)(6);(b)(7)(C)

Cc: BORDERWALLTASKS (b) (7)(E) PMOD Taskers (b) (7)(E)
Subject: Border Wall Weekly (22-26 July)

All,

Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.

Please note that RG (b) (7)(E) were NOT solicited by USACE yesterday and that is now anticipated for (b) (5)

Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details

here: <https://apnews.com/5d893d388c254c7fa83a1570112ae90e>

Attached are the Border Wall card and updated photos.

Have a great weekend!

Thanks,

(b)(6);(b)(7)(C)

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 - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarded (b) (5)
- San Diego Secondary Replacement (~14 miles):
 - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg (b) (7)(E) Primary Replacemen (b) (7)(E)
 - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)
- El Centr (b) (7)(E) Primary Replacemen (b) (7)(E)
 - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJ's involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E) is anticipated to start i (b) (7)(E).
- Rio Grande Valley Levee Wall (RG (b) (7)(E) / RGV (b) (7)(E)
 - RG (b) (7)(E) USAC (b) (5)
 - ROE-S signed to date: 34 of 34 (100%)
 - Surveys complete: 34 of 34 (100%)
 - Appraisals complete: 31 of 31 (100%) (only required for private tracts)

- Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
 - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)
- RG (b) (7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
 - ROE-S signed to date: 19 of 19 (100%)
 - Surveys complete: 19 of 19 (100%)
 - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
 - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
 - Accepted Offers-to-Sell: 0 of 16 (0%)
- Rio Grande Valley Border Wall System (RGV (b) (7)(E) i (b) (7)(E) County):
 - This project comprises the areas that require additional consultation with (b) (7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5) which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
 - ROE-S signed to date: 136 of 155 (88%)
 - Surveys complete: 20 of 155 (13%)
 - Appraisals complete: 0 of 152 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
 - Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b) (7)(E))
 - The contract award remains anticipate (b) (5) Construction start is anticipated for November, assuming availability of real estate.
 - ROE-S signed to date: 81 of 95 (85%)
 - Surveys complete: 88 of 95 (92%)

- Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
 - Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
 - Accepted Offers-to-Sell: 0 of 85 (0%)
- Rio Grande Valley Border Wall System (RGV (b) (7)(E))
 - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for (b) (5)
 - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
 - This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.
- Rio Grande Valley Border Wall System (Remainin (b) (7)(E))
 - The RFP packages for the FY19 projects RG (b) (7)(E) and RG (b) (7)(E) are anticipated to advertise (b) (5) and RG (b) (7)(E) is on track for (b) (5). USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
 - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
 - ROE-S signed to date: 23 of 23 (100%)
 - Surveys complete: 0 of 23 (0%)
 - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
 - ROE-S DTs filed: 4 (pending)
 - Surveys complete: 0 of 177 (0%)
 - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
 - RG (b) (7)(E) Border Wall System (b) (7)(E)
 - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
 - Surveys complete: 0 of 89 (0%)
 - Appraisals complete: 0 of 74 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)

- RGV ^{(b) (7)} Border Wall System ^{(b) (7)(E)}
 - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
 - ROE-S DTs filed: 3 (pending)
 - Surveys complete: 16 of 145 (11%)
 - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
 - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)
- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
 - Construction is estimated to start in earl ^{(b) (5)} and complete by the en ^{(b) (5)}.

Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o ^{(b) (7)(E)}
 - USBP is currently scoping the projects i ^{(b) (7)(E)} and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat ^{(b) (5)}
 - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of \$601M.

Acquisition

- The Eastern MATOC (\$5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla ^{(b) (5)}

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel ^{(b) (7)(E)}**
 - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.
 - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.

- The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.
- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms"
<https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms>
- Townhall "Good News: We've Finished 50 Miles of New Border Wall"
<https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410>
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents"
<https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/>
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum
<https://thewallsymposium.com/>

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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(b) (7)(E)

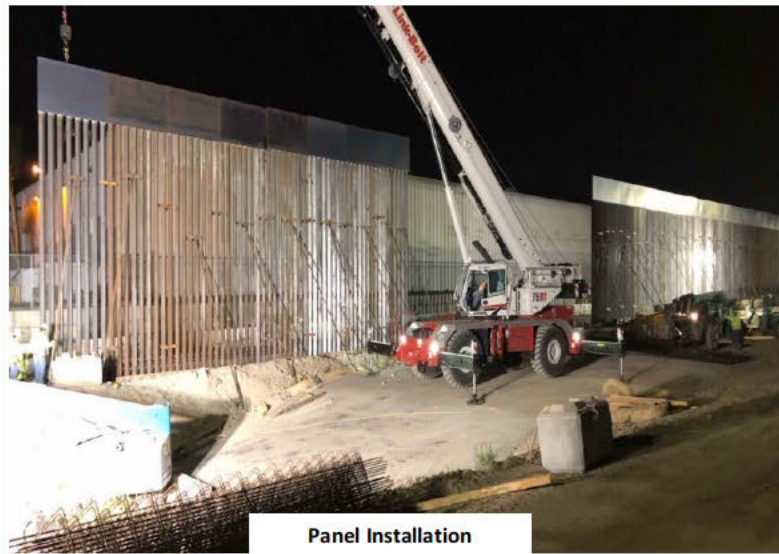
(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

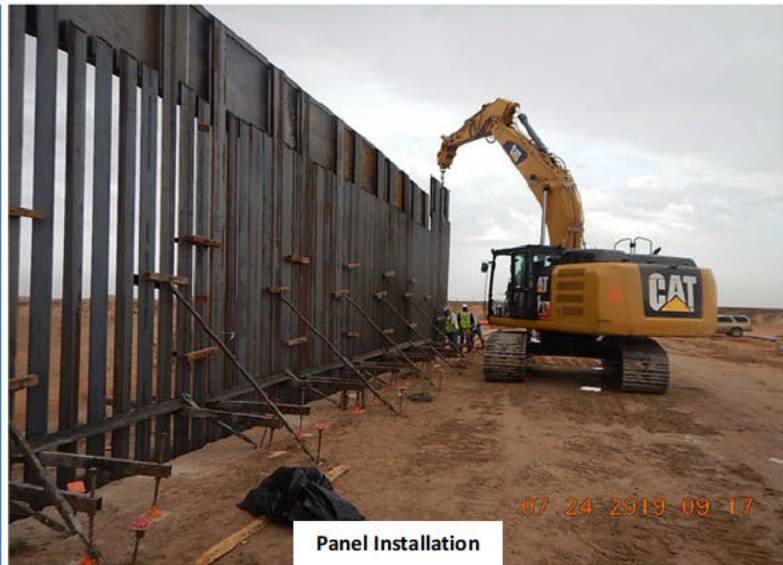
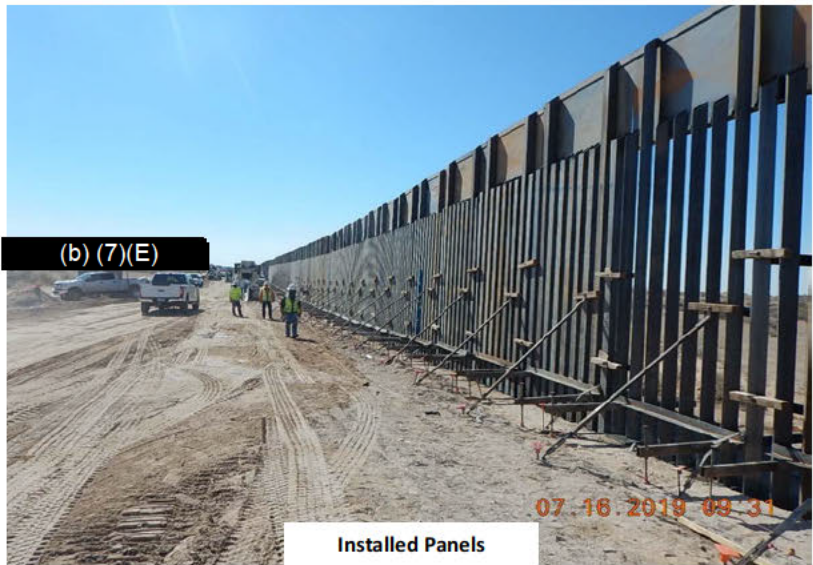
(b) (7)(E)



Legacy Barrier Demolition

Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

FOR OFFICIAL USE ONLY



Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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NOTE: Subject to change based upon Acquisition Timelines

Milestones

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) ARB Approved (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas
9/6/2018 – (b) (7)(E) ARB Approved (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) Pending ARB Approval – (b) (7)(E) of Border Wall System in (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

Real Estate

| Project | Miles/# of Land Tracts** | Initial Land Ownership Determination | Appraisal/Valuation Complete | Real Estate Possession |
|---------|--------------------------|--------------------------------------|------------------------------|------------------------|
|---------|--------------------------|--------------------------------------|------------------------------|------------------------|

FY18

(b) (7)(E)

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
*** of tracts may change as we proceed through the Real Estate Acquisition Process

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, July 30, 2019 5:23 PM
To: AS1KKM
Cc: (b) (6) (b)(6);(b)(7)(C) PROVOST, CARLA (USBP); LUCK, SCOTT A (USBP)
Subject: Senator Cramer Background Paper
Attachments: Senator Cramer Border Wall Paper v (b) (6) 071119.docx

Sir This paper was prepped a few weeks ago. It's not perfectly up to date, but given the short time frame, it's close.

Best,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) cbp.dhs.gov

**ACTING SECRETARY MEETING WITH U.S. SENATOR KEVIN CRAMER (R-ND)
BORDER WALL UPDATE
July 11, 2019**

OVERVIEW:

- **Senator Cramer has engaged on multiple occasions through letters, phone calls and meetings with U.S. Customs and Border Protection (CBP) regarding the Border Wall acquisition process and construction in 2019.**
- Senator Cramer (and Senator Hoeven (R-ND)) has assisted with setting up meetings between CBP and Fisher Industries, a company with North Dakota ties, to discuss the border barrier construction.
- Senator Cramer's letters have expressed concerns over DHS's partnership with the U.S. Army Corps of Engineers (USACE) regarding the completion of border wall construction on time and budget as well as the overall acquisition process. Senator Cramer has suggested that DHS contract directly with private industry.
- CBP has both responded in writing to Senator Cramer (and Senator Hoeven) to explain the process, has had phone calls and also an in person briefing with U.S. Border Patrol (USBP) senior leaders on May 15, 2019.
- The message to Senator Cramer has remained consistent and is as follows:
 - CBP, in partnership with USACE, manages all procurement actions for the construction of the border wall program through competitive bids by utilizing vehicles such as Multiple Award Task Order Contracts (MATOCs) and pre-qualified sources lists.
 - The USACE posts acquisition opportunities through Federal Business Opportunities (FedBizOpps.gov) and then administers the contracts on behalf of CBP.
 - CBP recommends that all contractors interested in bidding on Border Wall contracts reach out to the USACE Southwestern Division Interagency and International Services (IIS) located in Fort Worth, Texas to discuss their acquisition process in more detail and continue to monitor FedBizOpps.gov for future opportunities.
 - Border wall construction today continues to move exceptionally quickly for large, Federal construction projects.

WE BUILD THE WALL:

- *We Build the Wall*, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.
 - This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
 - *We Build the Wall* has expressed interest in "handing over the keys" to this border wall system to CBP.
- *We Build the Wall* is now seeking permission from DHS to construct additional border wall system east of (b) (7)(E) still in Sunland Park, New Mexico on land in which the company appears to believe the U.S. Government has a real estate interest.
- On July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will be developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the *We Build the Wall*.

- USBP sent a team out to Sundland Park, New Mexico to inspect the completed segment on July 8.

BACKGROUND:

- As of July 3, 2019, ~39.5 (99%) of the FY17 replacement wall (~40 total miles) and ~10.6 miles (13%) of the FY18 new and replacement wall (~76-80 total miles) has been constructed. Approximately 50 additional miles are currently under construction, with many more miles anticipated for award by the end of the Fiscal Year.
- CBP has received approximately \$3.7B for border barriers, funded through a combination of FY17, 18 and 19 Appropriations and the Treasury Forfeiture fund. These funds are expected to support execution of 205 miles of border wall system. Border wall system includes a combination of infrastructure such as wall, all-weather roads, lighting, enforcement cameras and other related technology.

February 17, 2019: CBP received a letter from Senator Cramer asking about border wall construction to include acquisition, service provider and cost. CBP responded.

March 4, 2019: Senator Cramer sent another letter on the similar topic and CBP responded.

May 13, 2019: Senator Cramer's staff reached out to OMB with some questions to which OMB responded with the following:

Q1: In regards to money the Army Corps is receiving for border wall, what % is going to construction and what % is going to administrative costs?

A1: Costs for construction vs. administrative activities vary by border barrier project. We recommend that you engage with DHS/CBP or USACE for project-specific cost information.

Q2: How much wall has already been built (the Corps told him something like 32 miles and he doesn't think that's right)?

A2: As of May 10, CBP and USACE have collaborated to construct 41.2 miles of border barriers during the current administration.

- Using FY17 DHS Appropriations: 39.5 miles of replacement barriers in San Diego, El Centro, and El Paso Sectors.
- Using FY18 DHS Appropriations: 1.7 miles of new barriers in San Diego Sector.

Q3: Are there any statutory limits on DHS's ability to contract directly with a private company?

A3: OMB is not aware of any statutory limitations specifically constraining DHS's ability to contract with private companies on border barrier projects.

May 15, 2019: Senator Cramer and staff received a Wall Program Update from USBP senior leaders.

May 24, 2019: Cramer told a North Dakota radio station that President Trump has asked him to audit the entire process of how federal border wall projects are awarded. “We’re going to do an entire audit,” Cramer said. “I’ve asked for the entire bid process, and all of the bid numbers.”

March 26, 2019: Mornings With Maria (FBN) – Sen. Kevin Cramer (Border Wall)

http://mms.tveyes.com/transcript.asp?StationID_2025&DateTime_3/26/2019%207:23:32%20AM&playclip_true&pbcs_search%3a%2b

MARIA BARTIROMO: welcome back. the border wall battle continues. the pentagon is directing \$1 billion in funds for 57 miles of border wall in support of president trump's national emergency declaration. this as a new migrant caravan is reportedly formed. it is headed for the southern border this morning. joining me right now is senator kevin kramer. it's good to have you on the program this morning. expecting in terms of this caravan headed to the border once again? president trump's plans, he said to me last week the wall is being built.

SEN. KEVIN CRAMER: well, i trust that he means it. i hope that he's right. i'd like to see a little bit more action, frankly, from the builders of the wall. i'd like to see more trenches being built and more wall being put into place. there's a lot of planning. there's a lot of designing and there's a lot of contracting but i want to see real action. north dakota, if you task the contractor with putting up a wall, they start working on it tomorrow. i'm a little anxious about the actual process of building. but he's right, and i think the case is being made for him.

BARTIROMO: you have called on the department of homeland security to fire the pentagon officials who are overseeing the border project and i stead hire private sector companies. tell me, senator, why that would be a big difference, what are why are you looking for private sector companies to take on this work?

SEN. CRAMER: the private sector doesn't seem to be as hampered by the bureaucracy that the corps of engineers is. the corps of engineers is made up of engineers. they're bound by the bureaucracy that involves lots of planning, lots of bidding, lots of oversight. but they don't build anything. i think vertically integrated companies who know how to build things and have the means to do it are much better than the bureaucracy. on top of everything else, the corps of engineers is a division of the army which adds another mass of bureaucracy to the process. when i look at the history of the corps of engineers and the project of border security, i don't see a lot of action. we've appropriated a lot of money.

Issues Likely to be Raised

Q1: Why does CBP insist on using the U.S. Army Corps of Engineers and not do its own acquisition?

A1:

- The USACE is CBP’s preferred partner in executing border barriers for various reasons.
- The USACE provides acquisition, construction oversight and real estate expertise.
- The USACE has experienced personnel to support and accomplish the complex acquisition and contract administration required for large-scale construction through competitively bid contracts.

- Additionally, the USACE is one of a few agencies with delegated authority to approve title, which is critical to our acquisition of real estate.
- Lastly, the USACE has experience and subject matter expertise to rapidly execute construction projects of this magnitude, as evidenced by the 2008 and 2009 construction. We are also witnessing their commitment to expeditious construction today.
- As the USACE competitively bids border wall projects on behalf of CBP, we encourage all companies that are interested in constructing border wall to bid on opportunities solicited by the USACE.

Staff Responsible (b)(6);(b)(7)(C) Deputy Executive Director, SPAD, U.S. Border Patrol,
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 1, 2019 3:10 PM
To: (b)(6);(b)(7)(C)
Subject: RE: border issues

Sir,

We had a congressional delegation in RGV the last two days. The ride along portion began in the Brownsville area and took the levee west. They did not go into the brush on that section of the river. In the evening, Chief (b)(6);(b)(7)(C) took the congressmen to (b)(7)(E) as is typical during these ride alongs.

Of note, a Breitbart reporter took a member of Congress to (b)(7)(E) early in the afternoon of Jan. 31st without our knowledge. The reporter, Brandon Darby, knows he cannot enter private or USFWS property without a Border Patrol agent. Agents in the area called USFWS Officers to inform them of the incident.

Thank you,

(b)(6);(b)(7)(C)

(A)Special Operations Supervisor

Communications Branch

RGV Sector HQ

O (b)(6);(b)(7)(C) <t (b)(6);(b)(7)(C) >

C (b)(6);(b)(7)(C) <tel: (b)(6);(b)(7)(C) >

From (b)(6);(b)(7)(C)
Sent: Friday, February 1, 2019 1:53 PM
To: RGV Comms Supervisors <RGVCommsSupervisors@>

From: (b) (6)
Sent: Friday, May 24, 2019 9:57 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) MARTIN, JERRY B
Subject: FW: SPOT REPORT: Washington Post article ref: Fisher

Sure you all saw this one. It does talk about the El Paso work...

+++

* 'He always brings them up': Trump tries to steer border wall deal to North Dakota firm

https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html

Washington Post

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

In phone calls, White House meetings and conversations aboard Air Force One during the past several months, Trump has aggressively pushed Dickinson, N.D.-based Fisher Industries to Department of Homeland Security leaders and Lt. Gen. Todd Semonite, the commanding general of the Army Corps, according to the administration officials, who spoke on the condition of anonymity. The push for a specific company has alarmed military commanders and DHS officials.

Semonite was summoned to the White House again Thursday, after the president's aides told Pentagon officials - including Gen. Mark Milley, the commander of the U.S. Army - that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project - and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

"The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals," said Sarah Sanders, White House press secretary. "He wants to make sure we get the job done under budget and ahead of schedule."

Fisher's CEO, Tommy Fisher, has gone on conservative television and radio, claiming that his company could build more than 200 miles of barrier in less than a year. And he has courted Washington directly, meeting in congressional offices and inviting officials to the southwest desert to see barrier prototypes.

Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit organization that includes prominent conservatives who support the president - its associates and advisory board include former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas Secretary of State Kris Kobach - has guided an effort to build portions of the border barrier on private land with private funds.

The first section is expected to be unveiled soon. Fisher-branded equipment and workers were visible this week preparing the site outside El Paso, within feet of the International Boundary Monument No. 1, placed in 1855 at the beginning of the effort to delineate the Mexico border. The stretch is the only area in the region without a barrier, in part because it crosses rugged terrain.

Scott Sleight, an attorney for Fisher, said in a statement Thursday that Fisher Industries is committed to working with the federal government to secure the border and has developed a patent-pending installation system that allows the company to build fencing "faster than any contractor using common construction methods."

"Fisher has invited officials of many agencies and members of Congress to demonstrate what we believe are vastly superior construction methods and capabilities," Sleight said. "Consistent with the goals President Trump has also outlined, Fisher's goal is to, as expeditiously as possible, provide the best quality border protection at the best price for the American people at our Nation's border."

Jared Kushner, the president's son-in-law, has joined in the campaign for Fisher, along with Sen. Kevin Cramer (R-N.D.), an ardent promoter of the company and the recipient of thousands of dollars in campaign contributions from Fisher and his family members, according to campaign finance records. Cramer, in an interview Thursday, said the Trump administration has shown a great deal of interest in his constituent's company.

"He always brings them up," Cramer said, noting that he spoke with Trump about Fisher twice - once in February, and again on Thursday. Each time, Trump said he wanted Fisher to build some of the barrier, Cramer said.

Cramer said Trump likes Fisher because he had seen him on television advocating for his version of the barrier: "He's been very aggressive on TV," Cramer said, of the CEO.

"You know who else watches Fox News?" Cramer said.

Trump's repeated attempts to influence the Army Corps's contracting decisions show the degree to which the president is willing to insert himself into what is normally a staid legal and regulatory process designed to protect the U.S. government from accusations of favoritism. It also shows how a private company can appeal to the president using well-placed publicity and personal connections to his allies - and the president's willingness to dive into the minutiae of specific projects.

But Trump's personal intervention risks the perception of improper influence on decades-old procurement rules that require government agencies to seek competitive bids, free of political interference.

A senior White House official explained Trump's advocacy for Fisher by saying the president was told the company was cheaper than others and could build the wall faster. The official said that Trump would prefer another company if he learned they could do the work cheaper and faster than Fisher has promised.

The official said Trump had not told Semonite he must award the contract to the company but had repeatedly brought up Fisher as an option because he sees the process as too expensive and too slow. Trump wants to see hundreds of miles of border barrier completed within the next two years.

Trump has taken an intense interest in the border barrier project, expressing frustration with the pace of progress on a structure he views as key to his reelection campaign. Several administration officials have said the president requires frequent briefings from his staff, and has given specific but shifting instructions to Semonite and DHS leaders on his preferred tastes and design specifications.

Most recently, the president has insisted the structure be painted black and topped with pointed spikes, while grumbling to aides that Army Corps contracting process is holding back his ambitions. At the White House meeting Thursday, he said he doesn't like the current design for the wall's gates, suggesting that instead of the hydraulic sliding

gate design, the Army Corps should consider an alternative, according to an administration official: "Why not French doors?" the president asked.

Trump also dismissed concerns about cost increases and maintenance needs associated with applying paint to the structure, insisting the barrier should be black, the administration official said. He also wants the flat steel panels removed from the upper part of the fence, which he considers unsightly, preferring sharpened tips at the end of the steel bollards.

The Department of Homeland Security did not respond to requests for comment.

The Army Corps, with a reputation for rectitude, discipline and impartiality, is the designated contracting authority for the border barrier project, developing specifications, awarding contracts and ensuring legal and regulatory compliance.

"The U.S. Army Corps of Engineers goes to great lengths to ensure the integrity of our contracting process," said Raini W. Brunson, a spokesperson for the Army Corps, who referred questions about Trump's conversations with Semonite to the White House.

The president ordered the reassignment of defense funds to the barrier project after Democrats denied his request for \$5 billion. Instead, the agreement to end the government shutdown included \$1.4 billion for the barrier. Since then, with Trump promising to build 400 miles of fencing by next year, the Pentagon has pledged to provide at least \$2.5 billion more.

Fisher was one of the six companies that built border wall prototypes outside San Diego in 2017, but the company's concrete design did not afford the see-through visibility that Homeland Security officials wanted. While many of the companies declined to discuss their prototypes with reporters, Tommy Fisher was an eager booster for his plan, criticizing the steel bollard design and professing that a more expensive concrete version would be better.

When Fisher began promoting a steel version of the barrier that he said could be installed faster and cheaper, the Army Corps said the design did not meet their requirements and lacked regulatory approvals.

"The system he is proposing does not meet the operational requirements of U.S. Customs and Border Protection," an official said. DHS officials also told the Army Corps in March that Fisher's work on a barrier project in San Diego came in late and over budget.

Fisher has alleged improprieties with the border wall procurement process and sued the government on April 25.

Fisher this week told radio listeners in North Dakota that he was using private donations to build a section of border wall to show off his superior construction methods, which involve using heavy equipment to hold multiple steel panels in place as they are anchored into the ground. He said he knows Trump will be impressed.

"The Corps said it couldn't be done, but now the Border Patrol has seen it," Fisher said, of his construction project, in an interview Wednesday on "The Flag," a show on North Dakota's WZFG News. "They've been out each day and the proof's in the pudding, and after that it's going to open up a whole new narrative about how border security should be handled, who should construct it, and the border agents will finally get what they deserve. And we'll prove it in a half mile stretch where they said it couldn't be done."

Collecting private donations, a group called We Build the Wall has raised \$22 million for the cause. The group has announced a raffle for a "wall reveal ceremony" it said will be attended by its "MAGA All Star board of advisers." "Witness history made on completion of the first privately funded section of the border wall!" it reads. Cramer said Fisher is working with We Build the Wall. The group did not respond to a request for comment.

Trump has repeatedly brought up Fisher after hearing about the company in early 2019, administration officials said.

In an earlier meeting with military and DHS officials in the Oval Office, Trump said the government was getting ripped off by current contractors - and that Fisher could do it for less than half the price, and with concrete. "The president got very spun up about it," said one person with direct knowledge of the meeting.

Officials from the Army Corps and DHS then met with Kushner several times to explain why Fisher wasn't the best deal. Kushner was intimately interested in the cost of the wall and why other companies were being chosen over Fisher, administration officials said. Trump repeatedly told advisers that Fisher should be the company, administration officials said, and he has remained focused on the cost of the wall and how slow its progress has been.

Army Corps of Engineers officials evaluated Fisher's proposal and said they didn't meet the requirements of the project - and that their proposal was cheaper because it wasn't as high quality, or as sophisticated, in their view. Finally, officials, including then-DHS Secretary Kirstjen Nielsen, went into the Oval Office this spring and explained that Fisher could bid, but that the company's proposal needed to change.

Nielsen and Semonite separately explained that the president could not just pick a company. Nielsen did not respond to a request for comment.

Trump remained frustrated, saying that Fisher said they could build it cheaper and faster. "He said these other guys were full of s---," the official said.

Fisher was added to a pool of competitors after the Army Corps came under pressure from the White House, administration officials said.

On Tuesday, after Semonite was called to a meeting with Cramer on Capitol Hill, the senator posted a photograph of the encounter to Twitter, saying he had "discussed border wall construction" with Army Corps leaders.

Cramer said he was glad the president is so involved in the process. Cramer said he was elected to cut through Washington's entrenched bureaucracy.

"Good for him. It's why he is the president of the United States. He knows a thing or two about building big projects," Cramer said. This is why he's president."

Cramer said he has long known the Fisher family and that he is not advocating for the company because its ownership has donated money to his campaigns.

"I was doing it before they were a financial contributor," he said. "For no other reason than the fact that he's a constituent of mine."

Cramer said he had gone down to the border to see Fisher's "show and tell" demonstration. The senator said he has discussed the company with Semonite, Acting Defense Secretary Patrick Shanahan, White House chief of staff Mick Mulvaney, and others.

Tommy Fisher and his wife gave more than \$10,000 - the maximum allowable contributions - to Cramer in 2018 as he ran for Senate, campaign finance records show. Fisher was Cramer's special guest at Trump's State of the Union speech in February, and the CEO said he shook the president's hand afterward.

Trump backed Cramer last year in his campaign to unseat Democrat Heidi Heitkamp. During his Senate run, Cramer appeared in a social media video at Fisher headquarters in North Dakota, driving an excavator.

"Here at Fisher Industries in Dickinson, N.D. I tested just how easy it is install a panel of wall myself," Cramer wrote on Twitter.

(b) (6)

U.S. Army Corps of Engineers
Social Media Program Manager (CEPA)

(b) (6)

[\(b\) \(6\)](http://linkedin.com/in/(b)(6))

Join our online communities - <http://about.me/USACEHQ>

Southern Border Related Correspondence: This information is For Official Use Only. The contents of this email, including any attachments, must not be disclosed, directly or indirectly, to any person not authorized by the agency to receive such information. Unauthorized disclosure of such information may subject the individual making the release to civil and criminal penalties. See, e.g., 18 U.S.C. § 641; 5 C.F.R. § 2635.703.

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 1, 2019 1:28 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Private Border Wall in El Paso

Brian Kolfage, a disabled Vet who started the Go Fund Me account for a border wall, has a Go Fund site where these projects are listed. It say's the estimated cost was 6-8 million, with a final cost TBD.

~~(b) (6), (b) (7)(C)~~ **PROJECT 1 : Sunland Park, New Mexico**

STATUS: COMPLETE

COST: Estimated \$6-\$8 MILLION - FINAL COST TBD

<https://www.gofundme.com/TheTrumpWall>.

(b) (6), (b) (7)(C)
Foreign Opns Cel (b) (7)(E)
US Border Patrol Special Operations Group
DHS-Customs & Border Protection
Bldg 11169 SSG Sims Road
Biggs Army Airfield, El Paso, Texas 79916
(b) (6), (b) (7)(C) SOG HQ switchboard
desk
gov't mobile
(b) (6), (b) (7)(C) **cell**
(b) (6), (b) (7)(C) STE (secure voice)
NIPR: (b) (6), (b) (7)(C)
HSDN: (b) (6), (b) (7)(C)

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From (b)(6);(b)(7)(C)
Sent: Thursday, August 1, 2019 11:06 AM
To (b)(6);(b)(7)(C)
Subject: RE: Private Border Wall in El Paso

That's impressive. Any idea what the cost was

From (b)(6);(b)(7)(C)
Sent: Thursday, August 1, 2019 11:57 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Private Border Wall in El Paso

(b)(6);(b)(7)(C) sent me this link.

Fisher Border Wall El Paso, TX Extended Cut Version

On April 29th, 2019, Fisher Sand & Gravel Co. was contacted by We Build the Wall to construct a half mile of fence in Sunland Park, New Mexico. The location was deemed "Unbuildable" by government agencies due to the harsh construction conditions. In just over one month of being notified of this project, Fisher procured and fabricated the bollard fence panels and finished all construction within two weeks.

<https://www.youtube.com/watch?v=aaihuiT24Vg>

(b)(6);(b)(7)(C)
Foreign Opns Cel (b)(7)(E)
US Border Patrol Special Operations Group
DHS-Customs & Border Protection
Bldg 11169 SSG Sims Road
Biggs Army Airfield, El Paso, Texas 79916
(b)(6);(b)(7)(C) SOG HQ switchboard
desk
gov't mobile
(b)(6);(b)(7)(C) cell
(b)(6);(b)(7)(C) STE (secure voice)
NIPR: (b)(6);(b)(7)(C)
HSDN: (b)(6);(b)(7)(C)

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FOUO information, and is not to be released to the public or personnel who do not have a valid "need to know" without prior approval.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 4:12 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: Texas Minutemen Meeting

Respectfully,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Sent from my iPhone

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: December 12, 2018 at 2:47:28 PM CST
To (b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

(b)(6);(b)(7)(C)

Good afternoon. Below is what I sent t (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.

(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C) >
Cc (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: Texas Minutemen Meeting

(b)(6);(b)(7)(C)

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landowne (b) (6) and Texas Minutemen founde (b) (6) stopped by the station. (b) (6) property is located o (b) (7)(E), (b) (6) approximatel (b) (7)(E), (b) (6) and an additiona (b) (7)(E), (b) (6) (b) (6). The portion o (b) (7)(E), (b) (6) leading up t (b) (6) property is considered a county road. Additionally, the entrance t (b) (6) property has a sign titled (b) (7)(E), (b) (6)

(b) (6) informed me that he contacte (b) (6) due to recently viewing an illegal alien alon (b) (6) and a subsequent event when he had a satellite phone stolen, which he attributed to an illegal alien (b) (6) mentioned that he was once a Marshall in Wise County, Texas, and that he was also a Vietnam Veteran. Whe (b) (6) mentioned that he was from Wise County (b) (6) seemed surprised and mentioned that he lives in Wise County. This demonstrated to me they were not very familiar with one another.

(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood an (b) (6) stated that they will be in static positions and would advise of any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

Both men were cordial and respectful.

(b) (6) an (b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

(b)(6),(b)(7)(C)

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) dhs.gov

From: (b)(6);(b)(7)(C)
Sent: Friday, January 25, 2019 5:30 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Re: Texas Minutemen Meeting

Yes Sir I am tracking

Thank You Respectfully,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(O (b)(6);(b)(7)(C)
(C
Sent from my iPhone

On Jan 25, 2019, at 4:26 PM (b)(6);(b)(7)(C) wrote:

(b)(7)(E)
[Redacted]
[Redacted] We will discuss Monday and I'll engage HQ. The quad will be helpful.

(b)(6);(b)(7)(C)
(b)(6), (b)(7)(C)
Big Bend Sector
United States Border Patrol

(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: January 25, 2019 at 3:22:09 PM MST
To (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
Subject: RE: Texas Minutemen Meeting

(b)(6);(b)(7)(C)

Good afternoon. [REDACTED] and I just finished up a visit from [REDACTED] (b) (6) founder of the Texas Minutemen, and another gentleman by the name of [REDACTED] (b) (6) [REDACTED] (b) (6) is a volunteer that came in from Florida.

At this time they only have permission to be on the land owned by [REDACTED] (b) (6) which is approximately 185 acres. They did confirm that David A. Clarke is attempting to make it to the area next Tuesday and may be flying into Midland. [REDACTED] (b) (6) stated they plan to have Sheriff Hughes provide a tour for Mr. Clarke, but also asked if Border Patrol could provide a tour. I informed them I would route that through our chain of command. In addition to Mr. Clarke [REDACTED] (b) (6) stated they are making contact with other people that support their cause and bring as much attention to the area as they can.

The entire conversation was good.

Thank you.

[REDACTED] (b) (6); (b) (7) (C)

From [REDACTED] (b) (6); (b) (7) (C)

Sent: Friday, January 25, 2019 2:55 PM

To [REDACTED] (b) (6); (b) (7) (C) >

Cc: [REDACTED] (b) (6); (b) (7) (C)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] >

Subject: Re: Texas Minutemen Meeting

[REDACTED] (b) (6); (b) (7) (C)

Thank You. Please ensure the rules of engagement are reiterated at musters. Also, notify us of any contact or issues.

Thank You Respectfully,

[REDACTED] (b) (6); (b) (7) (C)

[REDACTED] (b) (6); (b) (7) (C)

(A) Division Chief

Law Enforcement Operations Division

Big Bend Sector

([REDACTED] (b) (6); (b) (7) (C)

([REDACTED]

Sent from my iPhone

On Jan 25, 2019, at 12:54 PM [REDACTED] (b) (6); (b) (7) (C)

[REDACTED] (b) (6); (b) (7) (C) wrote:

(b)(6);(b)(7)(C)

Good afternoon. I received a call from (b) (6) the Terrell County landowner that will be allowing the Texas Minutemen to patrol his property. He informed me there are currently three members of the Texas Minutemen at his ranch and that they are anticipating approximately 10 more in a week or so. (b) (6) also informed me that former Milwaukee county Sheriff, David A. Clarke will be in the area next week to meet with him as well as the Sheriff. (b) (6) asked if we could provide him with maps of the area to provide to the Minutemen. I told him we didn't generate those here and I would have to send the request up the chain, but I didn't believe it would be possible (b) (6) and the Texas Militia also plan to start a GoFundMe page asking for support for fuel and what not.

Thank you.

(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 2:47 PM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

(b)(6);(b)(7)(C)

Good afternoon. Below is what I sent to (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.

(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
>
Subject: Texas Minutemen Meeting

(b)(6);(b)(7)(C)

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landowner (b) (6) and Texas Minutemen founder (b) (6) stopped by the station. (b) (6) property is located on (b) (6) approximately (b) (7)(E), (b) (6) and an additional (b) (7)(E), (b) (6). The portion of (b) (7)(E), (b) (6) leading up to (b) (6) property is considered a county road. Additionally, the entrance to (b) (6) property has a sign titled (b) (7)(E), (b) (6).

(b) (6) informed me that he contacted (b) (6) due to recently viewing an illegal alien along (b) (7)(E) and a subsequent event when he had a satellite phone stolen, which he attributed to an illegal alien. (b) (6) mentioned that he was once a Marshall in Wise County, Texas, and that he was also a Vietnam Veteran. When (b) (6) mentioned that he was from Wise County (b) (6) seemed surprised and mentioned that he lives in Wise County. This demonstrated to me they were not very familiar with one another.

(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas. (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood and (b) (6) stated that they will be in static positions and would advise of any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

Both men were cordial and respectful.

(b) (6) and (b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

(b)(6);(b)(7)(C)

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:23 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Border Wall News

I think I've fully reached the point where absolutely nothing would surprise me when it comes to the wall stuff.

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Roo (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email (b)(6);(b)(7)(C)

~~ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT~~

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Fro (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:22 PM
T (b)(6);(b)(7)(C)
Subject: Re: Border Wall News

That is unbelievable.

Sent from my iPhone

On May 24, 2019, at 9:25 AM (b)(6);(b)(7)(C) wrote:

(b) (5)

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Roo (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

From (b)(6);(b)(7)(C)

Sent: Friday, May 24, 2019 9:57 AM

To (b)(6);(b)(7)(C)

Subject: Border Wall News

(b) (5)

https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html?utm_term=.7b1ec6efde70

‘He always brings them up’: Trump tries to steer border wall deal to North Dakota firm

[Josh Dawsey](#)



Fisher Industries workers prepare land on private property in Sunland Park, New Mexico, near El Paso, on Wednesday, feet from where International Boundary Monument No. 1 sits in the foreground. (Jordyn Rozensky and Justin Hamel/for The Washington Post)

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

In phone calls, White House meetings and conversations aboard Air Force One during the past several months, Trump has aggressively pushed Dickinson, N.D.-based Fisher Industries to Department of Homeland Security leaders and Lt. Gen. Todd Semonite, the commanding general of the Army Corps, according to the administration officials, who spoke on the condition of anonymity to discuss sensitive internal discussions. The push for a specific company has alarmed military commanders and DHS officials.

Semonite was summoned to the White House again Thursday, after the president’s aides told Pentagon officials — including Gen. Mark Milley, the

Army's chief of staff — that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Keep Reading

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project — and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

“The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals,” White House press secretary Sarah Sanders said in an email. “He wants to make sure we get the job done under budget and ahead of schedule.”

Fisher's chief executive, Tommy Fisher, has gone on conservative television and radio, claiming that his company could build more than 200 miles of barrier in less than a year. And he has courted Washington directly, meeting in congressional offices and inviting officials to the Southwest desert to see barrier prototypes.



Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit that includes prominent conservatives who support the president — its associates and [advisory board include](#) former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas secretary of state Kris Kobach — has guided an effort to build portions of the border barrier on private land with private funds.

The first section is expected to be unveiled soon. Fisher-branded equipment and workers were visible this week preparing the site outside El Paso, within feet of the International Boundary Monument No. 1, placed in 1855 at the beginning of the effort to delineate the Mexican border. The stretch, part of which is on

private land owned by a brick company, is the only area in the region without a barrier, in part because it crosses rugged terrain.

Scott Sleight, an attorney for Fisher, said in a statement Thursday that Fisher Industries is committed to working with the federal government to secure the border and has developed a patent-pending installation system that allows the company to build fencing “faster than any contractor using common construction methods.”

“Fisher has invited officials of many agencies and members of Congress to demonstrate what we believe are vastly superior construction methods and capabilities,” Sleight said. “Consistent with the goals President Trump has also outlined, Fisher’s goal is to, as expeditiously as possible, provide the best quality border protection at the best price for the American people at our Nation’s border.”



Fisher Industries works on the grounds of American Eagle Brick Co., along the U.S.-Mexico border. (Jordyn Rozensky and Justin Hamel/for The Washington Post)

Jared Kushner, the president’s son-in-law, has joined in the campaign for Fisher Industries, along with Sen. Kevin Cramer (R-N.D.), an ardent promoter of the company and the recipient of thousands of dollars in campaign contributions from Fisher and his family members, according to campaign finance records. Cramer, in an interview Thursday, said the Trump administration has shown a great deal of interest in his constituent’s company.

“He always brings them up,” Cramer said, noting that he spoke with Trump about Fisher twice — once in February and again on Thursday. Each time, Trump said he wanted Fisher to build some of the barrier, Cramer said.

Cramer said Trump likes Fisher because he had seen him on television advocating for his version of the barrier: “He’s been very aggressive on TV,” Cramer said of the CEO.

“You know who else watches Fox News?” Cramer asked.

Tommy Fisher, president of Fisher Industries, has made repeated appearances in conservative media insisting he can build the wall faster and for less money. (The Washington Post)

Trump's repeated attempts to influence the Army Corps' contracting decisions show the degree to which the president is willing to insert himself into what is normally a staid legal and regulatory process designed to protect the U.S. government from accusations of favoritism. They also show how a private company can appeal to the president using well-placed publicity and personal connections to his allies — and the president's willingness to dive into the minutiae of specific projects.

But Trump's personal intervention risks the perception of improper influence on decades-old procurement rules that require government agencies to seek competitive bids, free of political interference.

A senior White House official explained Trump's advocacy for Fisher Industries by saying the president was told the company was cheaper than others and could build the wall faster. The official said that Trump would prefer another company if he learned it could do the work cheaper and faster than Fisher has promised.

The official said Trump had not told Semonite he must award the contract to the company but had repeatedly brought up Fisher Industries as an option because he sees the process as too expensive and too slow. Trump wants to see hundreds of miles of border barrier completed within the next two years.

Trump has taken an intense interest in the border barrier project, expressing frustration with the pace of progress on a structure he views as key to his reelection campaign. Several administration officials have said the president requires frequent briefings from his staff and has given specific but shifting instructions to Semonite and DHS leaders on his preferred tastes and design specifications.

Most recently, the president has insisted the structure be painted black and topped with spikes, while grumbling to aides that the Army Corps contracting process is holding back his ambitions. At the White House meeting Thursday, he said he doesn't like the current design for the wall's gates, suggesting that instead of the hydraulic sliding gate design, the Army Corps should consider an

alternative, according to an administration official: “Why not French doors?” the president asked.

Trump also dismissed concerns about cost increases and maintenance needs associated with applying paint to the structure, insisting the barrier be black, the administration official said. He also wants the flat steel panels removed from the upper part of the fence, which he considers unsightly, preferring sharpened tips at the end of the steel bollards.

The Department of Homeland Security did not respond to requests for comment.

The Army Corps, with a reputation for rectitude, discipline and impartiality, is the designated contracting authority for the border barrier project, developing specifications, awarding contracts and ensuring legal and regulatory compliance.



Lt. Gen. Todd Semonite, chief of engineers and the commanding general of the U.S. Army Corps of Engineers. (Monica King/U.S. Army)

“The U.S. Army Corps of Engineers goes to great lengths to ensure the integrity of our contracting process,” said Raini W. Brunson, a spokesperson for the Army Corps, who referred questions about Trump’s conversations with Semonite to the White House.

The president ordered the reassignment of defense funds to the barrier project after Democrats denied his request for \$5 billion. Instead, the agreement to end the government shutdown included \$1.4 billion for the barrier. Since then, with Trump promising to build 400 miles of fencing by next year, the Pentagon has pledged to provide at least \$2.5 billion more.

Fisher Industries was one of the six companies that built border wall prototypes outside San Diego in 2017, but the company’s concrete design did not afford the see-through visibility that DHS officials wanted. While many of the companies declined to discuss their prototypes with reporters, Tommy Fisher was an eager booster for his plan, criticizing the steel bollard design and professing that a more expensive concrete version would be better.

When Fisher began promoting a steel version of the barrier that he said could be installed faster and cheaper, the Army Corps said the design did not meet its requirements and lacked regulatory approvals.

“The system he is proposing does not meet the operational requirements of U.S. Customs and Border Protection,” an official said. DHS officials also told the Army Corps in March that Fisher’s work on a barrier project in San Diego came in late and over budget.

Fisher Industries has alleged improprieties with the border wall procurement process and sued the government on April 25.



President Trump steps off Air Force One with then-Senate candidate Kevin Cramer, center, and Sen. John Hoeven (R-N.D.) for a campaign rally in June 2018, in Fargo, N.D. (Evan Vucci/AP)

Fisher this week told radio listeners in North Dakota that he was using private donations to build a section of border wall to show off his superior construction methods, which involve using heavy equipment to hold steel panels in place as they are anchored into the ground. He said he knows Trump will be impressed.

“The Corps said it couldn’t be done, but now the Border Patrol has seen it,” Fisher said of his construction project in an interview Wednesday on “The Flag,” a show on North Dakota’s WZFG News. “They’ve been out each day, and the proof’s in the pudding, and after that, it’s going to open up a whole new narrative about how border security should be handled, who should construct it, and the border agents will finally get what they deserve. And we’ll prove it in a half-mile stretch where they said it couldn’t be done.”

Collecting private donations, We Build the Wall has raised \$22 million for the cause. The group has [announced](#) a raffle for a “wall reveal ceremony” it said will be [attended](#) by its “MAGA All Star board of advisors.”

“Witness history made on completion of the first privately funded section of the border wall!” it says. Cramer said Fisher is working with We Build the Wall. The group did not respond to a request for comment.

Trump has repeatedly brought up Fisher Industries after hearing about the company in early 2019, administration officials said.

In an earlier meeting with military and DHS officials in the Oval Office, Trump said that the government was getting ripped off by current contractors — and that Fisher could do it for less than half the price and with concrete. “The president got very spun up about it,” said one person with direct knowledge of the meeting.

Officials from the Army Corps and DHS then met with Kushner several times to explain why Fisher wasn’t the best deal. Kushner was intimately interested in the cost of the wall and why other companies were being chosen over Fisher, administration officials said. Trump repeatedly told advisers that Fisher should be the company, administration officials said, and he has remained focused on the cost of the wall and how slow its progress has been.



Excavators work on land that abuts the Mexican border in Sunland Park, N.M., where private money is being used to build border barriers on private land. (Jordyn Rozensky and Justin Hamel/For The Washington Post)

Army Corps of Engineers officials evaluated Fisher’s proposal and said that it didn’t meet the requirements of the project — and that the proposal was cheaper because it wasn’t as high-quality, or as sophisticated, in their view.

Finally, officials, including then-DHS Secretary Kirstjen Nielsen, went into the Oval Office this spring and explained that Fisher could bid but that the company’s proposal needed to change.

Nielsen and Semonite separately explained that the president could not just pick a company. Nielsen did not respond to a request for comment.

Trump remained frustrated, saying that Fisher said it could build the barrier cheaper and faster. “He said these other guys were full of s---,” an official said.

Fisher was added to a pool of competitors after the Army Corps came under pressure from the White House, administration officials said.

On Tuesday, after Semonite was called to a meeting with Cramer on Capitol Hill, the senator posted a photograph of the encounter to Twitter, saying he had “discussed border wall construction” with Army Corps leaders.

Cramer said he was glad the president is so involved in the process. Trump was elected to cut through Washington’s entrenched bureaucracy, he said.

“Good for him. It’s why he is the president of the United States. He knows a thing or two about building big projects,” Cramer said. “This is why he’s president.”

Cramer said that he has long known the Fisher family and that he is not advocating for the company because its ownership has donated money to his campaigns.

“I was doing it before they were a financial contributor,” he said. “For no other reason than the fact that he’s a constituent of mine.”

Cramer said he had gone down to the border to see Fisher’s “show and tell” demonstration. The senator said he has discussed the company with Semonite, acting defense secretary Patrick Shanahan, White House acting chief of staff Mick Mulvaney and others.

Tommy Fisher and his wife gave more than \$10,000 — the maximum allowable contribution — to Cramer in 2018 as he ran for Senate, campaign finance records show. Fisher was Cramer’s guest at Trump’s State of the Union speech in February, and the CEO said he shook the president’s hand afterward.

Trump backed Cramer last year in his campaign to unseat Democrat Heidi Heitkamp. During his Senate run, Cramer appeared in a social media video at Fisher headquarters in North Dakota, driving an excavator.

“Here at Fisher Industries in Dickinson ND, I tested just how easy it is install a panel of wall myself,” Cramer wrote on Twitter.



The grounds of American Eagle Brick Co., in Sunland Park, N.M. (Jordyn Rozensky and Justin Hamel/For The Washington Post)

Sent from my iPhone

From: (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:27 PM
To: (b) (6)
Subject: RE: SPOT REPORT: Washington Post article ref: Fisher

yep

(b)(6);(b)(7)(C)
Wall Program Portfolio Manager
USBP Program Management Office Directorate U.S. Border Patrol Washington D.C.
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

-----Original Message-----

From (b) (6)
Sent: Friday, May 24, 2019 9:57 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
MARTIN, JERRY (b)(6);(b)(7)(C)
Subject: FW: SPOT REPORT: Washington Post article ref: Fisher

Sure you all saw this one. It does talk about the El Paso work...

+++

* 'He always brings them up': Trump tries to steer border wall deal to North Dakota firm
https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html
Washington Post

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

In phone calls, White House meetings and conversations aboard Air Force One during the past several months, Trump has aggressively pushed Dickinson, N.D.-based Fisher Industries to Department of Homeland Security leaders and Lt. Gen. Todd Semonite, the commanding general of the Army Corps, according to the administration officials, who spoke on the condition of anonymity. The push for a specific company has alarmed military commanders and DHS officials.

Semonite was summoned to the White House again Thursday, after the president's aides told Pentagon officials - including Gen. Mark Milley, the commander of the U.S. Army - that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project - and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

"The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals," said Sarah Sanders, White House press secretary. "He wants to make sure we get the job done under budget and ahead of schedule."

Fisher's CEO, Tommy Fisher, has gone on conservative television and radio, claiming that his company could build more than 200 miles of barrier in less than a year. And he has courted Washington directly, meeting in congressional offices and inviting officials to the southwest desert to see barrier prototypes.

Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit organization that includes prominent conservatives who support the president - its associates and advisory board include former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas Secretary of State Kris Kobach - has guided an effort to build portions of the border barrier on private land with private funds.

The first section is expected to be unveiled soon. Fisher-branded equipment and workers were visible this week preparing the site outside El Paso, within feet of the International Boundary Monument No. 1, placed in 1855 at the beginning of the effort to delineate the Mexico border. The stretch is the only area in the region without a barrier, in part because it crosses rugged terrain.

Scott Sleight, an attorney for Fisher, said in a statement Thursday that Fisher Industries is committed to working with the federal government to secure the border and has developed a patent-pending installation system that allows the company to build fencing "faster than any contractor using common construction methods."

"Fisher has invited officials of many agencies and members of Congress to demonstrate what we believe are vastly superior construction methods and capabilities," Sleight said. "Consistent with the goals President Trump has also outlined, Fisher's goal is to, as expeditiously as possible, provide the best quality border protection at the best price for the American people at our Nation's border."

Jared Kushner, the president's son-in-law, has joined in the campaign for Fisher, along with Sen. Kevin Cramer (R-N.D.), an ardent promoter of the company and the recipient of thousands of dollars in campaign contributions from Fisher and his family members, according to campaign finance records. Cramer, in an interview Thursday, said the Trump administration has shown a great deal of interest in his constituent's company.

"He always brings them up," Cramer said, noting that he spoke with Trump about Fisher twice - once in February, and again on Thursday. Each time, Trump said he wanted Fisher to build some of the barrier, Cramer said.

Cramer said Trump likes Fisher because he had seen him on television advocating for his version of the barrier: "He's been very aggressive on TV," Cramer said, of the CEO.

"You know who else watches Fox News?" Cramer said.

Trump's repeated attempts to influence the Army Corps's contracting decisions show the degree to which the president is willing to insert himself into what is normally a staid legal and regulatory process designed to protect the U.S. government from accusations of favoritism. It also shows how a private company can appeal to the president using well-placed publicity and personal connections to his allies - and the president's willingness to dive into the minutiae of specific projects.

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Most recently, the president has insisted the structure be painted black and topped with pointed spikes, while grumbling to aides that Army Corps contracting process is holding back his ambitions. At the White House meeting Thursday, he said he doesn't like the current design for the wall's gates, suggesting that instead of the hydraulic sliding gate design, the Army Corps should consider an alternative, according to an administration official: "Why not French doors?" the president asked.

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(b) (6)

U.S. Army Corps of Engineers
Social Media Program Manager (CEPA)

(b) (6)

[\(b\) \(6\)](http://linkedin.com/in/(b)(6))

Join our online communities - <http://about.me/USACEHQ>

Southern Border Related Correspondence: This information is For Official Use Only. The contents of this email, including any attachments, must not be disclosed, directly or indirectly, to any person not authorized by the agency to receive such information. Unauthorized disclosure of such information may subject the individual making the release to civil and criminal penalties. See, e.g., 18 U.S.C. § 641; 5 C.F.R. § 2635.703.

Sent: Wednesday, June 12, 2019 2:13 PM
To: AS1KKM; MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

We have a paper we're sending up today.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KK (b) (7)(E)
Sent: Wednesday, June 12, 2019 2:11 PM
To: (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
SANDERS, JOHN (b)(6);(b)(7)(C); PEREZ, ROBERT (b)(6);(b)(7)(C); PROVOST, CARLA (USBP (b)(6);(b)(7)(C) MARTIN, JERRY (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b) (6) PETERLIN, MEGHANN (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b) (7)(E) gap

(b) (5)

From: (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:

(b) (5)

The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b) (6), (b) (7)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: MCALEENAN, KEVIN (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN (b)(6);(b)(7)(C) >; PEREZ, ROBERT (b)(6);(b)(7)(C); PROVOST, CARLA (USBP (b)(6);(b)(7)(C) MARTIN, JERRY (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com>
Date: June 6, 2019 at 7:22:52 PM EDT
To: (b)(6);(b)(7)(C)
Subject: Request for permission to close th (b) (7)(E) gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b) (7)(E) gap. Thank you.

Kris Kobach

From: PETERLIN, MEGHANN K
Sent: Wednesday, June 12, 2019 2:56 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b)(7)(E) gap

Roger that!

From (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:55 PM
To: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b)(7)(E) gap

We will need to talk about this tomorrow at close out. It will probably keep until then.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KKM (b)(7)(E)
Sent: Wednesday, June 12, 2019 2:26 PM
To (b)(6);(b)(7)(C)
Cc: Flanagan, Patric (b)(6);(b)(7)(C) >; PETERLIN, MEGHANN (b)(6);(b)(7)(C)
SANDERS, JOHN (b)(6);(b)(7)(C); MARTIN, JERRY (b)(6);(b)(7)(C) PROVOST, CARLA
(USBP (b)(6);(b)(7)(C) PEREZ, ROBERT E (b)(6);(b)(7)(C) MCALEENAN, KEVIN K
(b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b)(7)(E) gap

Can the next step be CBP hosting a meeting or telcon with this group to talk through their vision and see if there is any path forward? I will get you a POC?

From (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:18:17 PM
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close th (b)(7)(E) gap

Attached is our working paper that covers both the recently completed and the proposed project from the letter you shared. On the proposed project (b)(5)

(b)(5). For the project that was already constructed (b)(5)

We are prepared to talk through questions at your convenience.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KK (b)(7)(E) >
Sent: Wednesday, June 12, 2019 2:11 PM
To: (b)(6);(b)(7)(C) MCALEENAN, KEVIN (b)(6);(b)(7)(C)
SANDERS, JOHN (b)(6);(b)(7)(C) >; PEREZ, ROBERT (b)(6);(b)(7)(C) >; PROVOST, CARLA
(USBP (b)(6);(b)(7)(C) >; MARTIN, JERRY (b)(6);(b)(7)(C) >
Cc: Flanagan, Patric (b)(6); PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b)(7)(E) gap

(b)(5)?

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The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

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(b)(6);(b)(7)(C)

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From: (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 9:47 AM
To: (b)(6);(b)(7)(C)
Subject: FW (b) (6) -Media Presence
Attachments: image1.jpeg; ATT00001.htm; State of the Border Roundtable.docx; ATT00002.htm

(b)(6);(b)(7)(C)
Special Operations Supervisor
Communications Branch
RGV Sector HQ
O (b)(6);(b)(7)(C)
C .

From (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 8:45 AM
To: (b)(6);(b)(7)(C)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] >
Subject (b) (6) -Media Presence

Good morning D (b)(6);(b)(7)(C),
MCS encountered Congressman Chip Roy overnight in the field (Notification Below) with several congressional aides and a BRANDON Darby of Breitbart.


This was not coordinated through OCA or our office.

A reporter with Breitbart also just showed up at MCS and requested to be included in the briefing this morning, to which I declined as it was not coordinated with our office nor OPA. (Pic attached)
I will follow your lead on allowing the Reporter to become apart of the tour.

I've also added a document which highlights a Roundtable Discussion that the Congressman are hosting this afternoon here in McAllen at 2pm. Chie (b)(6);(b)(7)(C) may be invited to attend. ICE HSI ASA (b)(6);(b)(7)(C) has been invited to attend.

(b) (6)

REPORTER

 **BREITBART NEWS**

IF FOUND RETURN TO:

Breitbart News
149 S. Barrington #735
Los Angeles, CA 90048



State of the Border Roundtable

August 5th, 2019

Congressmen Chip Roy, Andy Biggs, and Michael Cloud will hold a roundtable discussion with border and immigration officials in Edinburg, Texas following a border tour of the Rio Grande Valley sector and visits to Customs and Border Patrol facilities in McAllen, Texas. The roundtable will be held at the National Border Patrol Council's office in Edinburg and they will be joined by representatives from CBP and U.S. Immigration and Customs Enforcement (ICE), as well as members of the press.

When: August 5th from 2:00 – 4:00 PM
Where: 4279 Crosspoint Blvd, Edinburg, TX, 78539
Who:

1. Congressman Chip Roy – represents the 21st Congressional District of Texas. He serves on the Budget, Oversight, and Veterans Affairs committees and is the Ranking Member of the Oversight Subcommittee on Civil Rights and Civil Liberties. Roy's district stretches from south Austin through the hill country to downtown San Antonio.
2. Congressman Andy Biggs – an Arizona native currently serving his second term as the U.S. Representative for the 5th District of Arizona. Biggs is the Co-Chair of the Border Security Caucus and is a member of the House Judiciary and Science, Space, and Technology committees.
3. Congressman Michael Cloud – represents the 27th District of Texas and serves on the Oversight and Science, Space, and Technology committees.
(b)(6);(b)(7)(C) – Vice President at-large of the National Border Patrol Council. He previously served as President of NBPC Local 2455, based in Laredo.
5. (b) (6) – a retired Captain from the Texas Department of Public Safety's Intelligence and Counterterrorism Division, where he managed the daily operations of the Texas Rangers, Border Security Operations Center.
6. Brandon Darby – director of Breitbart's Border and Cartel Chronicles project. Previously, Darby was an organizer in both Louisiana and Texas and served as a campaign strategist for President Trump.
7. (b)(6);(b)(7)(C) – Assistant Special Agent in Charge with Homeland Security Investigation (b)(6);(b)(7)(C) oversees all operational and administrative activities for HSI for Hidalgo and Starr Counties.

Purpose: There is an escalating crisis at our border that continues to be underfunded and largely ignored by elected officials. Though some progress has been made, the Department of Homeland Security is still overwhelmed in the face of an influx of migrants attempting to illegally enter the country and a lack of badly needed resources, personnel, and facilities. Due to Congress' failure to close loopholes in existing law, cartels are exploiting our broken system to exploit vulnerable women and children every day. We hope to continue to shed light on the efforts of the men and women of DHS to keep our nation secure and look forward to working with experts and officials to propose policy changes to address the impact of drug cartels and traffickers who have seized operational control of our nation's border.

From: (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 9:49 AM
To: (b)(6);(b)(7)(C)
Subject: Fwd (b) (6) -Media Presence
Attachments: image1.jpeg; ATT00001.htm; State of the Border Roundtable.docx; ATT00002.htm

(b)(6);(b)(7)(C)
(A)Operations Officer
Adjutant to CPA Rodolfo Karisch
U.S. Border Patrol RGV Sector
[4400 S. Expressway 281](#)
[Edinburg, Texas 78542](#)
Office (b)(6);(b)(7)(C)
Mobil (b)(6);(b)(7)(C)
Email (b)(6);(b)(7)(C)

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: August 5, 2019 at 8:45:18 AM CDT
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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